

11/3/01 CD 1038

ARGENTINA -- HUMAN RIGHTS IMPROVEMENTS

Over the past two years there have been significant improvements in human rights:

-- Disappearances, the most serious human rights abuse, have declined dramatically. From the many thousands in 1977 and 1978, there were 44 disappearances in 1979, 12 confirmed in 1980 (the last one in August), and none thus far this year.

-- Prisoners held by the Executive on other than common criminal charges have been reduced through release or trial to about 900 from over 8,000 in 1977, and there have recently been two Supreme Court decisions which may speed this process.

-- Improvements in prison conditions were recorded following government decrees in 1979 and 1980.

-- The Supreme Court has ordered lower courts to investigate disappearances more fully.

-- The government has initiated a dialogue with civilian political leaders aimed at legislation which would permit resumed political party activity.

-- Freedom of speech and of the press continued to expand in 1980, with extensive comments made on sensitive topics such as human rights and the political reorganization process.

-- Labor activities have increased and the ILO's Committee on Trade Union Freedom has noted progress.

-- In March the Labor Ministry authorized four unions to hold elections after approving their statutes.

-- Last December the government revoked a decree barring the Jehovah's Witnesses from religious practice.

-- While Argentina has a history of recurring anti-Semitism, and there are credible reports that Jews arrested in the period 1976-79 were sometimes treated more severely because they were Jews, there have been no incidents this year. Presidents Videla and Viola have condemned such actions, and, according to almost every qualified observer (including the OAS Human Rights Commission) there is no official policy of anti-Semitism.

July 1981

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(☒) Release () Excise () Deny

Exemption(s): _____

Declassify: () In Part () In Full

() Classify as _____ () Extend as _____ () Downgrade to _____

Date _____ Declassify on _____ Reason _____

820273

20.0 8195

ARGENTINA

(RECENT HR INCIDENTS)

Q. The Administration claims there have been significant human rights improvements in Argentina. Yet, just in recent months: six human rights activists belonging to the Center for Legal and Social Studies (CELS) were arrested; 68 Mothers of the Plaza de Mayo were detained, there have been at least two reports of torture; and there is at least one death (Horacio Alberto Castro) ascribed to security forces. Last week, returning from the U.S., two leaders of the Mothers Group were detained at the Buenos Aires airport and various documents they were carrying were seized. How do these incidents square with Administration claims and policy?

A. With respect to persons arrested or detained in recent months, I believe the record shows that all have been released quickly. The CELS group was held the longest, one week, but there is no indication the Government of Argentina intends to press charges.

More generally, no one in this Administration claims that all human rights problems in Argentina have been resolved. What the record does show is that there have been significant improvements in recent years and that serious abuses of rights of the person are now relatively infrequent. We do not condone incidents that have occurred in recent months. But we do not believe that we should apply a stricter standard to Argentina than to many other countries

around the world where similar violations occur.

We must work with Governments to encourage further improvements, not simply stand back and condemn.

ARGENTINA
(ACCOUNTING FOR DISAPPEARED PERSONS)

Q. Is the Administration pressing for an accounting of the many thousands that disappeared in the past?

A. This is a matter for Argentina to decide. While the issue is obviously important to the Argentines themselves and is being addressed internationally, we have not made an accounting for the disappeared a requirement for improved relations.

Q. Do you have any comment on Jacobo Timerman's statement to Mr. Moyers that the United States has compiled a list of all the persons who have disappeared in Argentina?

A. The Department has not independently compiled a list of those alleged to have disappeared in Argentina. We rely on the lists compiled by human rights and other non-governmental organizations. We believe the best documented list is the one compiled by the Argentine Center for Legal and Social Studies (CELS) which identifies about 5,600 persons reported to have disappeared.

ARGENTINA
(DISAPPEARANCES IN 1980 and 1981)

Q. The Department says there were 12 confirmed disappearances in 1980, and none since last August. Yet the head of the Mothers of the Plaza de Mayo claims that there were 40 disappearances in 1980 and that 21 disappearances have been reported to the Inter-American Human Rights Commission this year. Why the discrepancies?

A. We stand by our statement, which is based on information from the Permanent Assembly on Human Rights and the Center for Legal and Social Studies, both in Buenos Aires. The State Department Human Rights report for 1980 on Argentina says that there were 28 or more reported disappearances, of which "at least 12 have been credibly documented." There have been no confirmed disappearances since last August. We are attempting to clear up the discrepancies. It may be that the representative of the Mothers Group includes temporary detentions without notice to relatives, after which the detainees have been accounted for.

Drafted:HA/HR:RDJoyner^{my}/IO/HR:NShaft
7/13/81 ext:22264

Clearances:

P:MClodfelter^{PM for}
H:CWilliams^{PM for}
S/P:CFairbanks^{PM for}
IO:NShaft ^{red for}
HA:TATull ^{my for}
ARA:SC:Palberti
G. Whitman ^{PM for}